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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WARD, RONALD J

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 10/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/424,006

Applicant(s)

SANGER, GEORG

Examiner

Ronald J Ward

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. **Claim 5** is objected to because of the following informalities:

Claim 5 is dependent on cancelled claim 4.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 5-6, 8-10** are rejected under 35 U.S.C. 102(b) as being anticipated by Comroe et al. (U.S. Patent Number 5,014,345).

As to **claim 5**, Comroe discloses a method for reaching subscribers in a radio communications system (see col. 1 lines 15-19) in which an object identification is temporarily assigned to the subscribers (see col. 2 lines 31-47) characterized by the fact that the temporary object identifications are formed by subscriber data sets that respectively define an entire subscriber environment of a virtual communication network within the radio communications

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system (see col. 1 lines 40-53), and by the fact that one or more such subscriber data sets may be assignable to subscribers of the communication system (see col. 2 lines 31-33); and

characterized by the fact that a subscriber, to whom an object identification was assigned, also has a temporary, object-related and a permanent, individual subscriber environment (see col. 1 lines 29-39 and col. 9 lines 7-11); and

characterized by the fact that the subscriber can always be reached under the call numbers which correspond to the individual and the temporary subscriber environments currently assigned to the subscriber (see col. 2 lines 48-60 and col. 9 lines 7-11).

As to **claim 6**, Comroe discloses a method for reaching subscribers in a radio communications system (see col. 1 lines 15-19) comprising:

temporarily assigning object identifications to subscribers (see col. 2 lines 31-47), said temporary object identifications being formed by subscriber data sets that respectively define an entire subscriber environment of a virtual communication network within the radio communications system (see col. 1 lines 40-53), wherein one or more subscriber data sets are assignable to subscribers of the radio communication system (see col. 2 lines 31-33); and

selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets (see col. 4 lines 53-62, see col. 7 lines 52-64).

As to **claim 8**, Comroe discloses everything as applied to claim 6 above. In addition, Comroe discloses carrying out an authorization check of the subscribers, and allocating the subscriber data sets after a positive result of the authorization check is obtained (see col. 5 lines 49-58).

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As to **claim 9**, Comroe discloses everything as applied to claim 6 above. In addition, Comroe discloses assigning a temporary, object related and a permanent, individual subscriber environment to a subscriber, to whom an object identification has been assigned (see col. 1 lines 29-39 and col. 9 lines 7-11).

As to **claim 10**, Comroe discloses everything as applied to claim 6 above. In addition, Comroe discloses reaching the subscriber always under the call numbers which correspond to the individual and the temporary subscriber environments currently assigned to the subscriber (see col. 2 lines 48-60 and col. 9 lines 7-11).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Comroe in view of Rothenhofer (U.S. Patent Number 5,345,502).

Comroe discloses everything as applied to claim 6 above. In addition, Comroe discloses that “the present invention is readily adaptable to conventional two-way communication systems” (see col. 12 lines 34-40). However, Comroe does not explicitly recite administering calls regarding subscriber data sets of the virtual communication network through an intelligent network.

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In an analogous art, Rothenhofer discloses administering calls regarding subscriber data sets of the virtual communication network through an intelligent network (see col. 1 line 45 through col. 2 line 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Comroe to administer calls regarding subscriber data sets through an intelligent network, as taught by Rothenhofer. One of ordinary skill in the art would have been motivated to make this modification because an intelligent network offers additional advantages and benefits, and it operates according to a global standard (see col. 1 lines 11-25).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald J. Ward whose telephone number is (703) 305-5616. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).



RJW

October 16, 2002


10/16/02
LESTER G. KINCAID
PRIMARY EXAMINER